

## REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: September 23, 2005

ANALYST: Elizabeth Goings

- I. COMMITTEE: The Big Tent PAC  
(C00285098)  
Sylvia L. Nolde, Treasurer  
226 N. Alfred Street  
Alexandria, VA 22314
- II. RELEVANT STATUTES: 2 U.S.C. §434a  
11 CFR §111.31  
11 CFR § 104.18

## III. BACKGROUND:

**Failure to File Reports and Late Filing**

The Big Tent PAC ("the Committee") filed its 2003 Year End Report and 2004 July Quarterly, October Quarterly, 30 Day Post General, Year-End and 2005 Mid-Year Reports on paper versus the required electronic format. The Commission consequently considered these reports 'not-filed' and recoded all reports as Miscellaneous Documents (MS-T's), thus deleting all activity from the disclosure database. The Committee also failed to file its 2004 April Quarterly Report (Attachment 2).

**2003 Mid-Year Reporting Period**

On April 16, 2003, the Committee filed a 2003 April Quarterly Report<sup>1</sup> (image 23038042708) covering the period from January 1, 2003 through March 31, 2003. The report disclosed \$0.00 in receipts on Line 20 (Total Federal Receipts) and \$5,775.00 on Line 31 (Total Disbursements) of the Detailed Summary Page (Images 23038042710 and 23038042711).

On August 1, 2003, the Committee filed a 2003 July Quarterly Report (image 23038171276) covering the period from April 1, 2003 through June 30, 2003. The report disclosed \$16,750.00 in receipts on Line 20 (Total Federal Receipts) and \$1,370 on Line 32

<sup>1</sup> PAC committees who are quarterly filers are only required to file a Mid-Year Report (01/01/03-06/30/03) during a non-election year.

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(Total Federal Disbursements) of the Detailed Summary Page (Images 23038171278 and 23038171279).

### **2003 Year End Report**

On February 2, 2004, the Committee filed a paper 2003 Year End Report (image 24038294945) covering the period from July 1, 2003 through December 31, 2003. The filing disclosed \$94,000.00 in receipts on Line 20 (Total Federal Receipts) and \$96,845.00 on Line 32 (Total Federal Receipts) of the Detailed Summary Page (Images 24038294947 and 24038294948).

On February 4, 2004, the Committee was sent a 'Failure to File an Original Report in an Electronic Format' (MS-P) mailgram notifying them that the reporting requirement would not be satisfied until the report was filed in an electronic format (Image 24038310527). The paper 2003 Year End Report is classified as a miscellaneous document (MS-T) within the FEC database (24038294945).

On February 20, 2004, Committee representative, Max Tribble, called the Commission in response to the MS-P mailgram. The Reports Analysis Division (RAD) analyst advised that the Committee had exceeded the mandatory electronic filing threshold with the activity disclosed on this report, thus requiring the Committee to file electronically. The Analyst also explained to Mr. Tribble how to obtain a password in order to begin to file electronically (Attachment 3).

On February 23, 2004, the Committee was sent a RQ-7 notice for failure to file the 2003 Year End Report. The notice advised the Committee that the failure to file the requested report could result in civil money penalties, an audit or legal enforcement action (Image 24038330541).

To date, the Committee has not electronically filed the 2003 Year End Report.

### **2004 April Quarterly Report**

On May 5, 2004, the Committee was sent a RQ-7 notice for failure to file the 2004 April Quarterly Report. The notice advised the Committee that the failure to file the requested report could result in civil money penalties, an audit or legal enforcement action (Image 24038411153).

To date, the Committee has not filed the report, electronically or otherwise.

### **2004 July Quarterly Report**

On July 15, 2004, the Committee filed a paper 2004 July Quarterly Report (image 24038460373) covering the period from April 1, 2004 through June 30, 2004. The filing disclosed \$23,500.00 in receipts on Line 20 (Total Federal Receipts) and \$12,455.00 on Line 32 (Total Federal Disbursements) of the Detailed Summary Page (Images 24038460375 and 24038460376).

On October 20, 2004, the Committee was sent a 'Failure to File an Original Report in an Electronic Format' (MS-P) mailgram notifying them that the reporting requirement would not be satisfied until the report was filed in an electronic format (Image 24038593224). The paper 2004

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July Quarterly Report is classified as a miscellaneous document (MS-T) within the FEC database (Image 24038460373).

On November 2, 2004, the Committee was sent a RQ-7 notice for failure to file the 2004 July Quarterly coverage dates. The notice advised the Committee that the failure to file the requested report could result in civil money penalties, an audit or legal enforcement action (Image 24038612514).

To date, the Committee has not filed the report electronically.

#### **2004 October Quarterly Report**

On October 15, 2004, the Committee filed a paper 2004 October Quarterly Report (image 24038562208) covering the period from July 1, 2004 through September 30, 2004. The filing disclosed \$35,000.00 in receipts on Line 20 (Total Federal Receipts) and \$21,050.00 on Line 32 (Total Federal Disbursements) of the Detailed Summary Page (Images 24038562210 and 24038562211).

On October 20, 2004, the Committee was sent a 'Failure to File an Original Report in an Electronic Format' (MS-P) mailgram notifying them that the reporting requirement would not be satisfied until the report was filed in an electronic format (Image 24038593224). The paper 2004 October Quarterly Report is classified as a miscellaneous document (MS-T) within the FEC database (Image 24038562208)

On November 2, 2004, the Committee was sent a RQ-7 notice for failure to file the 2004 October Quarterly Report. The notice advised the Committee that the failure to file the requested report could result in civil money penalties, an audit or legal enforcement action (Image 24038612514).

To date, the Committee has not filed the report electronically.

#### **2004 30 Day Post-General Report**

On December 2, 2004, the Committee filed a paper 2004 30 Day Post-General Report (image 24038642127) covering the period from October 1, 2004 through November 22, 2004. The filing disclosed \$40,000.00 in receipts on Line 20 (Total Federal Receipts) and \$45,525.00 on Line 32 (Total Federal Disbursements) of the Detailed Summary Page (Images 24038642129 and 24038642129).

On December 6, 2004, the Committee was sent a 'Failure to File an Original Report in an Electronic Format' (MS-P) mailgram notifying them that the reporting requirement would not be satisfied until the report was filed in an electronic format (Image 24038661500). The paper 2004 30 Day Post-General Report is classified as a miscellaneous document (MS-T) within the FEC database (Image 24038642127).

On December 17, 2004, the Committee was sent a RQ-7 notice for failure to file the 2004 30 Day Post-General Report. The notice advised the Committee that the failure to file the requested report could result in civil money penalties, an audit or legal enforcement action (Image 24038672051).

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To date, the Committee has not filed the report electronically.

## **2004 Year End Report**

On January 31, 2005, the Committee filed a paper 2004 Year End Report (image 25038715007) covering the period from November 23, 2004 through December 31, 2004. The filing disclosed \$0.00 on Line 20 (Total Federal Receipts) and \$0.00 on line 32 (Total Federal Disbursements) on the Detailed Summary Page (Images 25038715009 and 25038715010).<sup>2</sup>

On March 22, 2004, the Committee was sent a 'Failure to File an Original Report in an Electronic Format' (MS-P) mailgram notifying them that the reporting requirement would not be satisfied until the report was filed in an electronic format. The notice also advised the Committee that the failure to file the requested report could result in civil money penalties, an audit or legal enforcement action (Image 25038762964). The paper 2004 Year End Report was reclassified as a miscellaneous document (MS-T) within the FEC database (Image 25038715007).

To date the Committee has not electronically filed the 2004 Year End Report.

## **2005 Mid-Year Reporting Period**

On April 18, 2005, the Committee filed a paper 2005 April Quarterly Report<sup>3</sup> (image 25038782539) covering the period from January 1, 2005 through March 31, 2005. The report disclosed \$10,000.00 on Line 20 (Total Federal Receipts) and \$21,000.00 on line 32 (Total Federal Disbursements) on the Detailed Summary Page (Images 25038782541 and 25038782542).

On July 15, 2005, the Committee filed a paper 2005 July Quarterly Report (image 2538843577) covering the period from March 31, 2005 through June 30, 2005. The report disclosed \$0.00 on Line 20 (Total Federal Receipts) and \$10,521.64 on line 32 (Total Federal Disbursements) on the Detailed Summary Page (Images 25038843579 and 25038843580).

On September 7, 2004, the Committee was sent a 'Failure to File an Original Report in an Electronic Format' (MS-P) mailgram notifying them that the reporting requirement would not be satisfied until the report was filed in an electronic format. The notice also advised the Committee that the failure to file the requested report could result in civil money penalties, an audit or legal enforcement action (Image 25038893258). The paper 2005 April and July Quarterly Reports are classified as miscellaneous documents (MS-T) within the FEC database (Images 25038782539 and 25038843577).

On September 7, 2005 a RAD Analyst contacted Sylvia Nolde and advised that the Committee was required to file their reports in an electronic format. Ms. Nolde stated that she

<sup>2</sup> The Committee would not have been included in the Administrative Fine Program for the 2004 Year End Report because they disclosed no activity for the reporting period.

<sup>3</sup> Please note that the Committee referenced the filing as a 30-Day Post Election Report with a coverage period of 01/01/05 through 03/31/05. Given the outlined coverage periods and filing timeframe the report was classified as an April Quarterly Report. Please note that PAC committees who are quarterly filers are only required to file a Mid-Year Report during a non-election year.

just signed the checks and reports but that she would contact the chairman, Arlen Specter, for further information about who would be taking over as treasurer of the Committee. The Analyst advised Ms. Nolde that the Committee was required to submit an Amended Form 1 to detail any address or treasurer changes. Ms. Nolde stated that she would have someone call the Commission back to see what specific steps needed to be undertaken (attachment 3).

On September 8, 2005, a RAD Analyst spoke with Max Tribble, who stated that he might be assigned as the new treasurer for the Committee. The Analyst reiterated that the Committee had exceeded the mandatory electronic filing threshold in 2003 and was required to file electronically. Mr. Tribble wanted to know if the Commission would fine the Committee. The Analyst advised Mr. Tribble that the Committee would be contacted by the Office of General Counsel (OGC) concerning any fines or further action taken by the Commission (attachment 3).

To date the Committee has not electronically filed the 2004 Year End Report nor have any further communications been received from the Committee regarding the above matters.

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BIG TENT PAC;THE  
MS SYLVIA L NOLDE  
FILING FREQUENCY QUARTERLY

226 N ALFRED STREET

ALEXANDRIA

NON-PARTY QUALIFIED  
VA 22314

ID #C00285098

FORM TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
MS			T	2/02/2004	43	24038294945						
MS			P	2/04/2004	2	24038310527						
MS			T	7/15/2004	13	24038460373						
MS			T	10/15/2004	13	24038562208						
MS			P	10/20/2004	2	24038593224						
MS			T	12/02/2004	17	24038642127						
MS			P	12/06/2004	2	24038661500						
MS			T	1/31/2005	7	25038715007						
RQ	YE	7		2/23/2004	2	24038330541	7/01/2003 12/31/2003					
RQ	Q1	7		5/05/2004	2	24038411153	1/01/2004 3/31/2004					
RQ	Q3	7		11/02/2004	2	24038612514	4/01/2004 9/30/2004					
RQ	30G	7		12/17/2004	2	24038672051	10/01/2004 11/22/2004					
3	Q1	N	P	4/16/2003	10	23038042708	1/01/2003 3/31/2003	17851	0	5775	12076	5000
3	Q2	N	P	8/01/2003	15	23038171276	4/01/2003 6/30/2003	12076	16750	1370	27456	5000
TOTAL									16750	7145		

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BIG TENT PAC,THE  
MS SYLVIA L NOLDE  
FILING FREQUENCY QUARTERLY

226 N ALFRED STREET

ALEXANDRIA

NON-PARTY QUALIFIED  
VA 22314

ID #C00285098

FORM TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
MS		P		3/22/2005	2	25038762964						
MS		T		4/18/2005	13	25038782539						
MS		T		7/15/2005	10	25038843577						
MS		P		9/07/2005	2	25038893258						
TOTAL										0	0	

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# The Big Tent PAC (C00285098)

## 2003-2004 Election Cycle Filing Overview

Report Type/Reporting Coverage Period	Filing Due Date	Date Report Filed	Number of Days Report was Filed Past Due Date	Total Federal Receipts (Line 20) - Detailed Summary Page	Total Federal Disbursements (Line 32) - Detailed Summary Page
2003 Mid-Year Reporting Period (01/01/03-06/30/03)	7/31/2003	4/16/2003 & 8/1/2003	Filed Timely	\$16,750.00 <sup>4</sup>	\$8,145.00 <sup>4</sup>
2003 Year End Report (07/01/03 - 12/31/03)	1/31/2004	Not filed electronically	Never filed	\$94,000 00	\$96,845.00
2004 April Quarterly Report (01/01/04 - 03/31/04)	4/15/2004	Never Filed	Never filed	\$17,000 00 <sup>5</sup>	\$25,507.00 <sup>5</sup>
2004 July Quarterly Report (04/01/04 - 06/30/04)	7/15/2004	Not filed electronically	Never filed	\$23,500.00	\$12,455 00
2004 October Quarterly Report (07/01/04- 9/30/04)	10/15/2004	Not filed electronically	Never filed	\$35,000 00	\$21,050 00
2004 Post-General Report (10/01/04 - 11/22/04)	12/2/2004	Not filed electronically	Never filed	\$40,000 00	\$45,525.00
2004 Year End Report (11/23/04 - 12/31/04)	1/31/2005	Not filed electronically	Never filed	\$0 00	\$0.00
2005 Mid-Year Reporting Period (01/01/05 - 06/30/05)	7/31/2005	Not filed electronically	Never filed	\$10,000.00 <sup>6</sup>	\$31,521.64 <sup>6</sup>

<sup>4</sup> Combined total obtained from the 2003 April and July Quarterly Reports (Image 23038042708 and 23038171276).

<sup>5</sup> Total obtained from the 2004 July Quarterly filing (Column B (Calendar Year-to-Date) - Column A (This Period)) (Image 24038460375 and 24038460376)

<sup>6</sup> Combined total obtained from the 2005 April and July Quarterly filings (Image 25038782539 and 25038843577)